IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

WP(C).No. 32921 of 2006(T)

PETITIONER:

RAHUL ANTONY SIMON,
28/3113, PONNETH TEMPLE ROAD,
KADAVANTHARA, COCHIN.

BY ADV. SRI.BECHU KURIAN THOMAS
SRI.PAUL JACOB (P)

RESPONDENTS:
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1. MAHATMA GANDHI UNIVERSITY,
REP. BY ITS VICE CHANCELLOR,
ATHIRAMPUZHA, KOTTAYAM.

2. CONTROLLER OF EXAMINATIONS,
MAHATMA GANDHI UNIVERSITY,
ATHIRAMPUZHA, KOTTAYAM.

3. MOSC MEDICAL COLLEGE,
REP. BY ITS PRINCIPAL, KOLENCHERY-682 311.

R1&2 BY ADV. SRI.V.A.MUHAMMED, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C).NO.32921 of 2006

Dated this the 12th day of December, 2006

O R D E R

Admit. Standing Counsel took notice for respondents 1 and 2. Notice to the 3rd respondent.

Interim relief No.1.- The petitioner claims that though he has failed for the paper Forensic Medicine of the second semester examination, he may be permitted to take final year examination commencing on 19-12-2006. According to him, the requirement of clearing all papers of the second semester is not a mandatory requirement under the Regulations. It is given only as a foot note of the Regulation. Learned Standing Counsel for the University opposes the application for interim relief. According to him as on this date the petitioner is a candidate who has failed to clear all the papers of the second semester. Therefore, as per the Regulation, he is ineligible. In academic matters the decisions of the University cannot be dealt with by this Court lightly. If the University takes the view that a student for taking the final year examination has to clear all the papers of the second semester, this Court cannot sit in appeal and overrule it. Therefore, the first

prayer is rejected.

Interim relief No.2 as prayed for is issued on condition that the petitioner approaches the second respondent and also pays the necessary fine for the delay in submitting the applications.

K.BALAKRISHNAN NAIR,JUDGE.

MS